

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) No. 1:05-CR-63 CAS
)
)
v.)
)
SAMMY CASEY,)
)
)
Defendant.))

ORDER

This matter is before the Court on various pretrial matters. Pursuant to 28 U.S.C. § 636(b), this Court referred all pretrial matters to United States Magistrate Judge David D. Noce. On July 21, 2005, Judge Noce filed an Order and Recommendation of United States Magistrate Judge which recommended that defendant's Motions to Dismiss Indictment and to Suppress Evidence be denied.

On August 5, 2005, Defendant's attorney filed objections to the Magistrate Judge's Order and Recommendation "for the reasons set forth within his previously filed motion" and for any reasons presented by Defendant in any of his pro se motions. Defendant also filed pro se objections, reasserting the grounds set forth in his oral motions at the evidentiary hearing. Defendant adds that he objects to a trial of any kind and questions how his sentence may be computed.

The Court concludes that de novo review would properly be denied. See, e.g., Belk v. Purkett, 15 F.3d 803, 815 (8th Cir. 1994). The Court has carefully and independently reviewed the record of this matter. The Court is in full agreement with the stated rationale of the Magistrate Judge's recommendations, and will adopt the same.

Accordingly, after careful review,

IT IS HEREBY ORDERED that the objections of defendant filed by counsel are overruled.

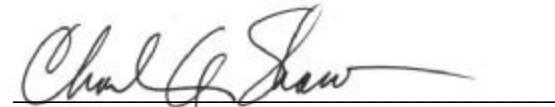
[Doc. 35]

IT IS FURTHER ORDERED that the pro se objections filed by defendant are overruled.

[Doc. 33, 34]

IT IS FURTHER ORDERED that the Order and Recommendation of United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 30]

IT IS FURTHER ORDERED that defendant's Motion to Suppress Evidence and to Dismiss the Indictment are **DENIED**. [Docs. 20, 22, 23, and 24]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of August, 2005.